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From: "Cameron Winklevoss" <winklev@fas.harvard.edu>
To: "Mark Elliot Zuckerberg" <mzuckerb@fas.harvard.edu>
Date: 2/10/04 8:59PM
Subject: Important Notice

Mark,

It has come to our attention (Tyler, Divya and myself) that you have launched a website named TheFacebook.com. Prior to this launch, we had entered into an agreement with you under which you would help us develop our proprietary website (HarvardConnection) and do so in a timely manner (specifically noting that the window for launching our site was quickly closing).

Over the last three months, in breach of our agreement, and to our material detriment in reliance on your misrepresentations, fraud and/or other actionable behavior, for which we assert that damages are payable, you stalled the development of our website, while you were developing your own website in unfair competition with ours, and without our knowledge or agreement. You have also misappropriated our work product, including our ideas, thoughts, concepts and research.

At this time we have notified our counsel and are prepared to take action, based upon the above legal considerations.

We are also prepared to petition the Harvard University Administrative Board regarding your breach of ethical standards of conduct, as stated in the Student Handbook. Please note that our petition will be based on your violation of the College's expectations of honesty and forthrightness in your dealings with fellow students, your violation of the standard of high respect for the property and rights of others, and your lack of respect for the dignity of others. Misappropriation is also actionable under these ethical rules, as well as at law.

We demand the following in order to put a temporary stay to these actions, until we have fully evaluated your website and what actions we may take:

1. Cease and desist all further expansion and updates of TheFacebook.com;
2. State in writing to us that you have done so; and
3. State in writing that you will not disclose to any third person our work product, our agreement, or this demand.
4. These demands must be met no later than 5pm Wednesday February 11th, 2004

Notwithstanding your compliance with the above, we reserve the right to consider other action to further protect our rights and to recover damages against you. Your cooperation will prevent further violation of our rights and further damages.

Any failure to meet these demands will lead us to consider immediate action on both legal and ethical fronts. If you have any questions you are welcome to email me back or set up a meeting.

Cameron Winklevoss

Hardcopy also sent via University Mail